

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

LONNIE M. FORD, )  
 )  
 Petitioner, )  
 vs. ) NO. CIV-05-0321-HE  
 )  
 WARDEN OF F.C.I. EL RENO, )  
 UNITED STATES OF AMERICA, )  
 )  
 Respondents. )

**ORDER**

Petitioner, a federal prisoner appearing *pro se*, seeks a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Doyle W. Argo for review. On March 31, 2005, Judge Argo issued his Report and Recommendation, recommending that the petition be dismissed. The matter is currently before the Court on petitioner's objection to the Report and Recommendation.<sup>1</sup>

Having considered the matter *de novo*, the Court concurs with Judge Argo's conclusion that the case should be dismissed because petitioner's application seeks a remedy under 28 U.S.C. § 2255. As a result, the proper forum is the place of petitioner's conviction and sentence in the United States District Court for the Northern District of Indiana.<sup>2</sup> See Haugh v. Booker, 210 F.3d 1147, 1150 (10th Cir. 2000) (noting that a section 2255 motion must be brought in the district in which the defendant was sentenced).

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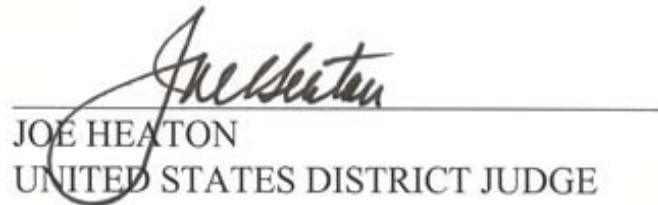
<sup>1</sup>Because petitioner has objected to the Report and Recommendation, the matter is reviewed *de novo*. 28 U.S.C. § 636(b)(1)(C).

<sup>2</sup>As noted by Judge Argo, petitioner has not demonstrated that his remedy under § 2255 is inadequate or ineffective.

Accordingly, the Report and Recommendation is **ADOPTED** in its entirety and the case is **DISMISSED**.

**IT IS SO ORDERED.**

Dated this 5<sup>th</sup> day of May, 2005.



Joe Heaton  
JOE HEATON  
UNITED STATES DISTRICT JUDGE